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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Roman Cetnar

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3766

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08/17/2009

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EXAMINER

THROWER, LARRY W

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

08/17/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/517,954	Applicant(s) CETNAR, ROMAN	
	Examiner LARRY THROWER	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3 and 4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3 and 4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed April 10, 2009 has been entered. Claims 1-2 are cancelled; claims 3-4 are added. Claims 3-4 are under examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 3-4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 3 recites the limitation "simultaneously forming a seal gasket around the peripheral edge of the shell while molding the shell in the mold die." This limitation finds no support in the original application as filed.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 3-4** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleefeldt (US 5,505,506) in view of Schneegans (EP 940241; references are to corresponding Derwent Abstract 1999-520156).
- Regarding **claim 3**, Kleefeldt discloses a method for fabricating a supporting assembly for a lock and actuating assembly of a motor vehicle (abstract), the actuating assembly having a plurality of actuating members (13, 16) hinged to an actuating pin (12) for operating the lock (col. 3, lines 7-20), and the supporting assembly comprising a shell (5) made of plastic material (col. 2, lines 46-48) defining a housing for a first metal plate (16). The method includes placing the first metal plate into a mold die (col. 3, lines 7-20), inserting the actuating pin (12) into the mold die (col. 3, lines 7-20) which is separate and spaced from the first metal plate (16), and molding the shell to the first metal plate in the mold die and around the actuating pin to englobe the actuating pin in the shell (col. 2, lines 61-63).
 - Kleefeldt fails to disclose forming a seal gasket around the peripheral edge of the shell while the molding the shell in the mold die. However, Schneegans discloses a method for fabricating a supporting assembly for a lock of a motor vehicle in which a seal gasket on an edge of the base member made of plastic material is co-molded in the same molding station in which co-molding the shell on the metal element is performed (abstract). As taught by Schneegans, co-molding the seal gasket on the edge of the shell improves the bond between the seal and shell "...to give more reliable sealing of the door lock and hence more reliable operation" (abstract). Thus,

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it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method for fabricating a lock supporting assembly of Kleefeldt with the seal of Schneegans to provide more reliable sealing and operation of the door lock, as taught by Schneegans.

- Regarding **claim 4**, Kleefeldt discloses removing the first metal plate and co-molded shell from the mold die, and placing a second metal plate against the gasket close the housing by the shell between the first and second metal plates (col. 1, lines 38-50).

Response to Arguments

6. Applicant's arguments filed April 10, 2009 have been fully considered but they are not persuasive.
- Applicant argues that Kleefeldt does not disclose or teach inserting a separate pin into the die spaced from and independent of the metal plate and molding the shell around the pin for supporting the actuating assembly, as recited in independent claim 3. This argument has been considered but is not persuasive. As described above, Kleefeldt discloses inserting the actuating pin (12) into the mold die (col. 3, lines 7-20) which is separate and spaced from the first metal plate (16), and molding the shell to the first metal plate in the mold die and around the actuating pin to englobe the actuating pin in the shell (col. 2, lines 61-63).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LARRY THROWER whose telephone number is 571-270-5517. The examiner can normally be reached on Monday through Friday from 9:30AM-6PM est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina A. Johnson can be reached on 571-272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Larry Thrower/
Examiner, Art Unit 1791

/Christina Johnson/
Supervisory Patent Examiner, Art Unit 1791